IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

WRIT PETITION NO. 661 /2004

PETITIONER : 1. R.K.Tiwari
S/o. Late Shri Ramkripal Tiwari,
Sub Divisional Officer (Forest),
Rajnandgaon,
District - Rajnandgaon,
Chhattisgarh

: 2. Smt. Kalpana Tiwari,
W/o. Shri R.K.Tiwari,
Assistant Commissioner Commercial
Tax, Bilaspur,
District Bilaspur,
Chhattisgarh

VERSUS

RESPONDENTS : 1. State of Chhattisgarh,
Through its Secretary,
Department of Forest,
DKS Bhawan Mantralaya,
District - Raipur,
Chhattisgarh.

: 2. Secretary,
Department of Commercial Tax,
Government of Chhattisgarh,
DKS Bhawan Mantralaya,
District Raipur,
Chhattisgarh,

:3. Principal Chief Conservator
of Forests,
Government of Chhattisgarh,
Jail Road,
District Raipur,
Chhattisgarh.

COPY
27/2/04
A.G. Bilaspur

P.R. No. 659/04
Presented by Shri Shivendra Shukla
27.2.04

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(59)

आदेश पत्रक

मामला क्रमांक WP No. 661/ सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

08.03.2004

Dr. N.K. Shukla, Senior Counsel with Shri Shailendra Shukla, counsel for the petitioners.

Shri Bhaskar Pyasi, Panel Lawyer for the State.

The petitioners have preferred this writ petition under Article 226/227 of the Constitution of India challenging the order-dated 24.02.2004 (Annexure P-1) passed by the State Government whereby the petitioner No.1 who was working as Sub Divisional Officer (Forest), Rajnangaon has been transferred to Dantewada and it has been alleged that the impugned order is arbitrary, unreasonable and unjust.

Learned counsel for the petitioners submits that in the year 1998 the Petitioner No.1 was posted as Sub Divisional Officer (Forest), Bilaspur and the Petitioner No.2 who is wife of Petitioner No.1 at the relevant time was working at Raipur, therefore, a request was made by petitioner no.2 to post her at Bilaspur so that she may remain with her husband i.e. Petitioner No.1. Accordingly, her request was accepted and she was posted at Bilaspur. However, in the year 2000 the Petitioner No.1 was again transferred to Rajnandgaon against which the Petitioner No.1 had made a representation but the same was not considered by the respondents. Now again the Petitioner No.1 has been transferred from Rajnandgaon to Dantewada whereas the Petitioner No.2 i.e. the wife of the Petitioner No.1 is still working at Bilaspur and the distance between Bilaspur & Rajnandgaon is about 500 kilometers, therefore, it has become difficult for them

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आदेश पत्रक

मामला क्रमांक Cwp 661/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

to maintain their family and children who are small. Against the impugned order both the petitioners have made a representation to the effect that they have no liking for any particular place of posting in the State of C.G., their only request is that they should be posted at one place. Learned counsel further submits that the respondents may be directed to decide the representation of the petitioners; to which learned State counsel has no objection.

Learned counsel for the Intervener Shri A. Mishra, submits that the intervener- S.S. Nandeo who has been posted at Rajnandgaon in place of the Petitioner No.1 has already assumed the charge of Sub Divisional Officer (Forest), Rajnangaon.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the respondents are directed to decide the representation of the petitioners in accordance with law considering all the grievances raised by the petitioners in an objective manner with a reasoned order within a period of two weeks.

With the aforesaid direction, the writ petition stands disposed of.

Consequently, M.W.P. No.588/2004 & I.A.No.1454/04 also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C.BHADOO
Judge